



## **ATTACHMENT A Remarks**

Claims 1-6 are pending in the present application. By this Amendment, Applicants have amended claim 6. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

The specification was objected to for including an informality which, by this Amendment, Applicants have amended as suggested by the Examiner thereby obviating the objection to the specification.

Claim 6 was objected to for depending from claim 1 rather than claim 2, resulting in a lack of antecedent basis. By this Amendment, Applicants have amended claim 6 to properly depend from claim 2.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tackles 5,774,201. The Examiner alleges that Tackles Figures 1-3, column 3, line 29 through column 5, line 3 discloses goggles comprising a pair of lenses formed as a single piece with a temporal portion and a nasal portion with the nasal portion being formed with a substantially horizontal plane that follows a first theoretical cylindrical surface. Further, the Examiner alleges that Tackles discloses in column 7, lines 17-22 that it is beneficial to have lenses which conform to a mathematically correct ellipse as shown in Figure 11. The Examiner then alleges that Tackles indirectly discloses the lateral portions or temporal portions are bent on a second theoretical surface having a combined bend on a horizontal and a vertical plane.

Contrary to the Examiner's assertion, Tackles fails to teach or suggest a single lens which has both a nasal portion bent on a substantially horizontal plane that follows a first theoretical cylindrical surface and a temporal portion bent on a second theoretical

surface having a combined bend both on a horizontal and a vertical plane. Although Tackles discloses various different embodiments such as a lens conforming exclusively to a cylindrical plane (Figure 9) and a lens conforming exclusively to a conical plane (Figure 11), Tackles fails to teach or suggest a single lens having the combination of a nasal portion conforming to a horizontal cylindrical plane and a temporal portion conforming to a conical shape. In other words, Tackles fails to teach or suggest a lens having both curvature portions, as claimed.

Moreover, Tackles makes it clear that Figure 9 is one embodiment or form and Figure 11 is a separate embodiment. See column 8, lines 46-60 and column 4, lines 3-17. Nowhere does Tackles suggest or motivate one of ordinary skill in the art to combine the two distinct embodiments to form the combination of features as claimed.

Furthermore, a comparison of Tackles Figures 1-3 as compared with the present Figures 3 and 4 clearly shows the distinction between the present lens with distinct curvature portions and those of Tackles. Although Tackles may, *arguendo*, disclose distinct, separate embodiments which incorporate various features of the present invention, nowhere does Tackles teach or suggest the combination of elements in a single lens or embodiment as claimed.

Based on the foregoing, Applicants respectfully request that the rejection to claims 1-6 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance.

**END REMARKS**